

Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

v.

ROCCO ROMEO,

Defendant.  
-----X

**ORDER**

S1 19 CR 586 (VB)

By order dated November 3, 2023, the U.S. Court of Appeals for the Second Circuit transferred to this Court defendant Romeo's motion for leave to proceed in forma pauperis ("IFP") on appeal, stating that the "district court must rule on [Romeo's] IFP status for appeal before the Court of Appeals can address the motion." (Doc. #89). The motion for leave to appeal IFP is docketed in this Court's ECF docket as Doc. #90. The order being appealed from is this Court's order dated March 27, 2023, denying defendant's motion to enjoin the government from forfeiting a specific asset pursuant to the Preliminary Order of Forfeiture as to Substitute Assets. (Doc. #80).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's March 27 order would not be taken in good faith. See 28 U.S.C. § 1915(a)(3). As set forth in detail in that order, none of the arguments made by defendant in support of his motion to enjoin the government from forfeiting a specific asset had any merit.

Accordingly, the motion for leave to appeal IFP is DENIED.

The Clerk is instructed to terminate the motion. (Doc. #90).

Chambers will mail a copy of this Order to defendant at the following address:

Rocco Romeo  
3 Paul Court  
Washingtonville, NY 10992

Dated: November 7, 2023  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge